

**Remarks/Arguments:**

Applicant wishes to thank the Examiner for her detailed comments. As Examiner has grouped her actions by sections, Applicant will respond to these sections one by one.

**DETAILED ACTION**

***Claim Rejections -35 USC § 103***

1. No response is believed to be necessary.

2. Examiner has stated:

“Claims 1, 4-5, 10, 12, 14-15, 17, 19-23, 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teicher (US 200 1/0032070) in view of Waibel (US 2003/0164819).

“In regard to claims 1, 14, 15, 18, 21-23, 26, and 27 Teicher discloses:

“A hard disk drive including at least one database (paragraph 19)

“A digital camera (paragraph 19)

“A display screen (paragraph 19)

“Database software by which images and sound input from the digital camera and are stored in the hard disk drive as a personal log database, which can be displayed on the screen, where the personal log database may be updated by additional images (paragraph 19)

“A portable translation device which includes an Optical Character Recognition engine, which takes input of graphic images of words from the digital camera in a language unfamiliar to the user and converts them to characters in the unfamiliar language and a dictionary module which takes the characters generated by the OCR engine and produces translated files in a language familiar to the user, and outputs the translated files to the view screen. (paragraph 19)

“Teicher fails to disclose a microphone and at least one speaker, a database storing sound and further outputting translated files to at least one speaker and able to download database information which includes images, sound file and text which act as a travel instructor. Teicher also fails to disclose a GPS module. Waibel, however, discloses a microphone and speaker, and outputting translated files to at least one speaker. (Paragraphs 25 and 28) Waibel also discloses being able to download database information which includes images, sound file and text and also a GPS module. (Paragraphs 27, 60, 68 and 73) It would have been obvious to one having ordinary skill in the art at the time of the invention to include the features of Waibel with the invention of Teicher in order to give a full service assistant device that is able to store pictures but further is able to track the user and provide relevant information and translate when the user needs this to be done.”

Claim 1 has been currently amended to include the following:

1. (currently amended) A travel assistant device comprising:

a hard disk drive including at least one database;

a digital camera;

a microphone;

a display screen;

at least one speaker;

database software by which images and sound input from said digital camera and said microphone are stored in said hard disk drive as a personal log database, which can be displayed on said display screen and through said speaker, where said personal log database may be updated by the additional commentary and images as desired, and where said database software retrieves downloaded database information which includes images, sound files and text which act as a travel instructor, and where said downloaded database information can be augmented by said additional commentary and images as desired;

a portable translator device which includes an Optical Character Recognition engine, which takes input of graphic images of words from said digital camera in a language unfamiliar to the user and converts them to characters in said unfamiliar language, and a dictionary module which takes said characters generated by said Optical Character Recognition engine and produces translated files in a language familiar to the user, and outputs said translated files to said view screen and said at least one speaker; and

a Global Positioning System (GPS) module wherein said GPS module allows downloads of interactive digital guide information, and said GPS allows tracking of the user.

This is consistent with the disclosure included in pages 10 and 11 of the present application:

“... Jack’s directions could include an image of a local landmark **204**, with his pre-recorded comment **206** “Turn right at this red shrine and go towards the book store...” The travel assistant’s recording function through the microphone **22** and digital camera **20** also allows the traveler to add extra comments **208**, perhaps for future reference, such as “This shrine isn’t red!” These comments and images can be added to the database #**26 202** and stored on the HDD **26**.” (page 10, line 19 – page 11, line 2)

This example is illustrated in Fig. 5.

Also, as discussed in page 12 of the present application, with reference to Figs. 7 and 8:

“Figure 7 shows one example, where elements of a prerecorded database #26 **312** are recalled, and new images **314** and commentary **316** are added by the traveler to the prerecorded commentary **318** provided by the database **312**.”

“Figure 8 shows another example where a personal database #123 **320** has previously been established and stocked with images **314** and sound files recorded by the traveler. Previously recorded comments **322** can be recalled and then new commentary **316** added, as the original material is reviewed.” (page 12, lines 4-10)

Thus, this material amended to the claims certainly cannot be said to contain “new matter”.

Applicant’s agent has not found this newly-amended feature in the cited references. This feature allows the downloaded information to be updated, and made more accurate, or to be customized for the individual user, as illustrated in Figs. 5 and 7-8. This has many advantages over the prior art, in terms of personalizing the information held by the travel assistant. In the case of the shrine, which has been said to be “red”, and isn’t, this information can be used by the travel on future visits, or passed to another travel, which can save much confusion.

It is respectfully asserted that this claim cannot be said to be obvious in view of the amended features.

Thus, Applicant respectfully requests that the rejection of Claim 1 be withdrawn and this claim be allowed.

Claim 14 has been amended in a similar manner. Both independent Claims 1 and 14 now include subject matter and elements that Applicant respectfully asserts is not disclosed in the either of the cited *Teicher* and *Waibel* references.

Thus, Applicant respectfully requests that the rejection of Claim 14 be withdrawn and this claim be allowed.

Further, Claims 4-5, 10 and 12 are dependent on independent Claim 1, and Claims 15, 17, 19-23 and 25-27 are dependent on Claim 14 and inherit by their dependence the assertedly novel and non-obvious features of Claims 1 and 14.

5 Thus, Applicant respectfully requests that the rejection of Claims 1, 4-5, 10, 12, 14-15, 17, 19-23, 25-27 be withdrawn and these claims be allowed.

Examiner has stated:

10 "In regard to claims 4, 10, 17 and 25, Teicher discloses displaying movies. (paragraph 19)"

Claims 4, and 10 are dependent on independent Claim 1, and Claims 17, and 25 are dependent on Claim 14 and inherit by their dependence the assertedly novel  
15 and non-obvious features of Claims 1 and 14.

Thus, Applicant respectfully requests that the rejection of Claims 4, 10 and 17 and 25 be withdrawn and these claims be allowed.

Examiner has stated:

20 "In regard to claims 5 and 19, Waibel discloses the at least one speaker plays sound files (Paragraph 25)"

Claim 5 is dependent on independent Claim 1, and Claim 19 is dependent on  
25 Claim 14 and inherit by their dependence the assertedly novel and non-obvious features of Claims 1 and 14.

Thus, Applicant respectfully requests that the rejection of Claims 5 and 19 be withdrawn and these claims be allowed.

30

Examiner has stated:

“In regard to claims 12 and 20, Waibel disclose a text-to-speech engine (Paragraph 28)”

5           Claim 12 is dependent on independent Claim 1, and Claim 20 is dependent on Claim 14 and inherit by their dependence the assertedly novel and non-obvious features of Claims 1 and 14.

Thus, Applicant respectfully requests that the rejection of Claims 12 and 20 be withdrawn and these claims be allowed.

10           3.     Examiner has stated:

          “Claims 2-3, 13, 16 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waibel as applied to claims 1 and 14 above, and further in view of Kennewick et al (2004/0193420).

15           “Teicher and Waibel fail to specifically disclose a touch-screen display, the display screen displaying slides and an MP3 player.

          “Kennewick discloses a touch-screen display (paragraph 97, line 2). Kennewick further discloses a display screen that displays graphics and video, which can include slides and Moving Pictures Expert Group (MPEG) movies, a file format for compression of digital video and audio data (paragraph 97, line 2). Kennewick further discloses at least one speaker plays sound files (paragraph 18, lines 15-17).”

25           Claims 2-3, and 13 are dependent on independent Claim 1, and Claim 16 and 31 are dependent on Claim 14 and inherit by their dependence the assertedly novel and non-obvious features of Claims 1 and 14.

Thus, Applicant respectfully requests that the rejection of Claims 2-3, 13, 16 and 31 be withdrawn and these claims be allowed.

30           Examiner has stated:

          “As per claims 13 and 31, Kennewick discloses a device that can locate a music file and play it, the files could include MP3 files.

35           “It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aspects taught by Kennewick because they are well known

in portable devices and would have been obvious to include.”

Claim 13 is dependent on independent Claim 1, and Claim 31 is dependent on Claim 14 and both inherit by their dependence the assertedly novel and non-obvious features of Claims 1 and 14.

Thus, Applicant respectfully requests that the rejection of Claims 13, and 31 be withdrawn and these claims be allowed.

4. Examiner has stated:

“Claims 9 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waibel as applied to claims 1 and 14 above, and further in view of Harrington (US 2003/0145338 A1).

“Although Teicher and Waibel disclose all the claimed elements as mentioned in claim 1, Teicher and Waibel fail to specifically disclose a producing HTML files and MPEG movies.

“Harrington in the same field of invention discloses producing HTML files and MPEG movies, a file format for compression of digital video and audio data (paragraph 12, line 1).

“From this teaching of Harrington, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the travel assistant of Teicher and Myers et al to include producing HTML files and MPEG movies of Harrington, in order to update a personal website designed to share experiences.”

Claim 9 is dependent on independent Claim 1, and Claim 24 is dependent on Claim 14 and inherit by their dependence the assertedly novel and non-obvious features of Claims 1 and 14.

Thus, Applicant respectfully requests that the rejection of Claims 9 and 24 be withdrawn and these claims be allowed.

***Response to Arguments***

Examiner has stated:

- 5           “Applicant’s arguments with respect to claims 1 and 14 have been considered but are moot in view of the new ground(s) of rejection.”

10           Applicant feels that the new grounds of rejection have been addressed in the discussion above. However, Applicant would like to reiterate his general comments on the subject of obviousness.

15           It has often been said that nearly all new inventions are combinations of existing elements. If every invention that used combinations of previously known elements was considered to be obvious, then nearly every invention produced in the last century would be considered unpatentable. The mere fact that previous elements are known, cannot be fairly said to make an invention obvious to one skilled in the art. It is likely that all the elements of nearly any patented invention could be found in prior patent references, if enough prior art patent references are cited. It is true that digital cameras, and dictionaries, as well as Optical Character Recognition engines, have previously existed.

20           However, it is perhaps telling that the Examiner has had to use four different references to allegedly find these cited features.

**Conclusion:**

Applicant has endeavored to put this case into complete condition for allowance. It is thought that the §103 rejections were overcome by the present amendments or were unfounded on the cited references. Applicant therefore respectfully asks that the rejections be withdrawn and that allowance of all claims presently in the case now be granted.

If the Examiner would like to discuss any of the points involved in the Response, she is urged to contact Applicant's Attorney at the numbers included below.

The Patent Law Office of  
Larry Guernsey  
P.O. Box 720247  
San Jose, CA 95172-0247

Telephone: 408 286-0980  
Facsimile: 408 286-0980  
E-mail: larrygpatent@sbcglobal.net  
LBG:lbj

Respectfully submitted,

/Larry B. Guernsey/  
Larry B. Guernsey  
Reg. No. 40,008